

RESOLUTION NO. RS2018-1216

A resolution requesting a report within ninety (90) days from the Department of Codes Administration and the Department of Public Works regarding efforts undertaken to enforce Sections 6.040.010 through 6.04.035 of the Metropolitan Code of Laws, and providing recommendations for further enforcement.

WHEREAS, Nashville and Davidson County are plagued with illegally posted signs, placards, posters, and banners placed within the public right-of-way and upon public property, including telephone poles; and

WHEREAS, during elections and political campaigns, the problem of illegally placed signs grows more rampant, and the resultant visual clutter and litter significantly worsens; and

WHEREAS, under Chapter 6.04 of the Metropolitan Code of Laws, it is expressly illegal to affix signs to any post or pole on public property, or to place signs within any public right of way or upon any metropolitan government property without the express permission of the metropolitan government. Chapter 6.04 further includes a mechanism for enforcing these provisions against persons and businesses responsible for placement of illegal signs; and

WHEREAS, the Metropolitan Council has previously enacted legislation to further strengthen provisions within the Metropolitan Code of Laws which prohibit signs on public property, including Ordinance Nos. BL2009-433 (approved June 9, 2009) and BL2011-962 (approved August 19, 2011); and

WHEREAS, under Section 6.04.035 of the Metropolitan Code of Laws, the Department of Codes Administration and the Department of Public Works each have the authority to issue citations for violations of sign restrictions under Chapter 6.04 of the Metropolitan Code; and

WHEREAS, in order to assess the efficacy of current Code provisions, and to further determine what additional enforcement mechanisms may be indicated, it is necessary to obtain information from the Department of Codes Administration and the Department of Public Works regarding their previous enforcement efforts, and to request their recommendations, if any, for improving future enforcement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT FOR NASHVILLE AND DAVIDSON COUNTY:

Section 1. The Metropolitan Council hereby requests that the Department of Codes Administration and the Department of Public Works, within ninety (90) days hereof, submit a joint report detailing the efforts of these respective departments to enforce Sections 6.040.010 through 6.04.035 of the Metropolitan Code of Laws, including within said report the following:

- (a) the number of complaints relayed to each department regarding illegally placed signs, placards, posters, or banners within the public right-of-way and/or upon public property, including telephone poles, since August 19, 2011;
- (b) the number of citations issued by each department since August 19, 2011 regarding violations of Chapter 6.04 of the Metropolitan Code of Laws;
- (c) the number of court actions prosecuted by each department for violations of Chapter 6.04 of the Metropolitan Code of Laws since August 19, 2011;
- (d) the number or volume of signs or other written materials removed from public property by either department since August 19, 2011 (if such information is maintained); and
- (e) any recommendations to more effectively address violations of Sections 6.040.010 through 6.04.035 of the Metropolitan Code of Laws.

Section 2. The Metropolitan Clerk is hereby directed to deliver a copy of this Resolution to the Interim Director of the Department of Codes Administration and to the Director of the Department of Public Works.

Section 3. This Resolution shall take effect from and after its passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Jeff Syracuse
Member of Council